



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 22, 2020

The Honorable Elsie Arntzen
Superintendent
Montana Office of Public Instruction
P.O. Box 202501
Helena, MT 59620-2501

Dear Superintendent Arntzen:

I am writing in response to the Montana Office Public Instruction (OPI's) request on November 13, 2020, for an extension of the waiver to permit OPI to field test the Montana State Assessment (MSA) and the Alternate Montana State Assessment (AMSA) in science in grades 5, 8 and 11 in school year (SY) 2020-2021.

On February 21, 2020, OPI received a one-year waiver of certain Elementary and Secondary Education Act of 1965 (ESEA) requirements to support its development of MSA and AMSA to replace the prior assessments in science, which were not aligned with new Montana science content standards. Montana proposed to administer a census field test of the MSA and AMSA (for eligible students) in spring 2020 for all eligible students enrolled in grades 5 and 8 (MSA and AMSA) and once in high school (AMSA). Subsequently, on March 27, 2020, OPI received a one-year waiver of all ESEA assessment requirements (including the science assessment requirements) due to widespread school closures related to the novel Coronavirus disease (COVID-19). As a result, on November 13, 2020, OPI requested that the waiver be extended to the 2020-2021 school year. OPI proposed to not administer the current general or alternate science assessments and not report assessment field test results to parents, educators or the public in the 2020-2021 school year. However, OPI will hold districts and schools accountable for participation in field testing.

After reviewing OPI's request, I find that the waiver will benefit school children in Montana, so I am approving an extension of OPI's request for the 2020-2021 school year and waiving the following statutory requirements of the ESEA, as amended by the Every Student Succeeds Act:

- Sections 1111(b)(1)(A) and (C) and 1111(b)(2)(B)(ii) and (v)(II), which require the State to establish student academic achievement standards in science and implement high-quality, yearly student academic assessments in science that are aligned with those standards to measure student achievement and to inform instruction.
- Sections 1111(b)(2)(B)(x) and (xii) and 1111(h)(1)(C)(ii) and (2)(C), which require the State and local educational agencies to provide individual student reports to parents, teachers and principals and to include the results of science assessments on State and local report cards.

Please note that this waiver is only applicable for the 2020-2021 school year during the administration of the statewide field test of the MSA and AMSA. Failure to administer general and alternate science assessments in the 2021-2022 school year that meet all requirements would result in OPI being out of compliance with Title I of the ESEA and the Individuals with Disabilities Education Act, which could result in a number of enforcement actions, including withholding of funds.

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<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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We appreciate our continued relationship with OPI and remain committed to working with you. If you have any questions, please contact my staff at: ESEA.Assessment@ed.gov.

Thank you for your continued commitment to ensuring that all students have access to a high-quality education.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Ashley McGrath, Director of Assessment